

NOT FOR PRINTED PUBLICATION

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DONALD H. FLANARY, JR. AND GENA §
L. FLANARY §
§
Plaintiffs, §
§
V. § CASE NO. 4:15cv208
§ Chief Judge Clark/Judge Craven
MORTGAGE ELECTRONIC §
REGISTRATION SYSTEMS, INC., ET AL. §
§
Defendants. §

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 28, 2015, the report of the Magistrate Judge was entered, containing proposed findings of fact and recommendations that Trustee Defendants' Motion to Dismiss [Doc. #7] be granted; that Plaintiffs' claims against Defendants Caufield, Patton, and Bertrand be dismissed without prejudice; and that Plaintiffs' Motion to Remand [Doc. #8] be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore

ORDERED Plaintiffs' Motion to Remand [Doc. #8] is **DENIED**. It is further

ORDERED that Trustee Defendants' Motion to Dismiss [Doc. #7] is granted, and Plaintiffs' claims against Defendants Deac Caufield, Richard Patton, and Greg Bertrand are **DISMISSED WITHOUT PREJUDICE.**

So **ORDERED** and **SIGNED** this **16** day of **September, 2015**.



Ron Clark
Ron Clark, United States District Judge